

Brighton & Hove City Council

Cabinet

Agenda Item 63

Subject: Improving Housing Services: Responding to the Regulator for Social Housing's Judgement

Date of meeting: 26 September 2024

Report of: Cabinet Member for Housing and New Homes

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Ward(s) affected: All

For general release

Action Required of Cabinet:

- 1) To receive and note the Minute extract of the Place Overview and Scrutiny Committee meeting held on 23 September 2024.

Place Overview and scrutiny Committee
15:00 23 September 2024
Council Chamber, Hove Town Hall

Draft Minutes Extract

Present: Cllrs Evans (Chair), Cattell (Vice Chair), Hewitt, Winder, Czolak, Sykes, Meadows, Mary Davies (Older Peoples Council)

8a) Substitutions: Cllr Sykes for Cllr Maclay, Cllr Meadows for Cllr Lyons, Cllr Czolak for Cllr Sheard.

Apologies: Cllr Thompson, Cllr Sheard, Cllr Lyons, Cllr Fowler, Mark Strong, Sarah Fulford.

8b) Declarations of interests: There were none.

8c) Exclusion of the press and public: There were no Part 2 items.

9) Chairs Communications. The Chair gave the following communication:

10) Public involvement: There was none.

11) Member involvement: There was none.

12) Housing Regulator Judgement: Report to Cabinet.

12.1 Cllr Gill Williams (Cabinet member for Housing and New Homes) spoke to the committee to provide background to the report. Cllr Williams said that this was a very serious issue. She said the council had over 12,500 homes in its housing stock many of which were older, some built in the 60s, and needing attention. Problems were caused by years and years of lack of investment, but now the council was dealing with the issue. She said that from April 2024 new powers to regulate social housing were brought in and she welcomed these, as councils were being held to a higher standard because of the Grenfell tragedy. Cllr Williams highlighted that this issue is not new and was reported through the previous Housing Committee on a regular basis and at area panels. She said that she was not surprised that the regulator found the council wanting in a number of areas, as there was a lot to do in a very short space of time. Cllr Williams reminded the Committee that this is the report of a regulator and not a court, and that they can tell the council what they need to do to get to 100%, as the council is not there yet. She said that the Council had formed a plan to get there as quickly as possible. This included putting in £15m, bringing in more contractors to get to the compliance standard and to stay there. Cllr Williams said that she wanted Scrutiny to oversee this with monthly reports and updates.

12.2 Martin Reid (Interim Corporate Director) said that the health and safety of residents was a priority, as well as those who visit and work on our homes. He said that following a period of engagement with the Regulator of Social Housing a number of serious failings in safety and quality compliance around certain areas of health & safety and a backlog of routine repairs were identified. He said that the issue had been brought to the Housing and New Homes Committee four times and that area panels were regularly being updated on the issue. He explained that the report updates on plans in place and progress on addressing the remaining

issues. He said that there was a commitment to provide good and safe homes for residents. Martin Reid said that progress was being made with investment of £15m, fire risk assessments in high rise and medium rise blocks, they were prioritising electrical safety, proactively testing and moving to a five yearly programme by 2026 with earlier priority dates in some areas. He said that the council were progressing with ensuring all homes have smoke detection and we have a record of this, water risk assessments are being carried out, prioritising higher-risk homes with additional contractor capacity brought in. He said that there were 6,000 routine repairs with contractors brought in to support clearing our backlog, but that this was going down and that 77% of routine repairs were now on time. Martin Reid said that a range of surveys were being carried out to find issues with the housing stock. He said that the regulator had said that Brighton and Hove City Council needs to know its stock and its tenants and that these surveys will pick up more issues that will be dealt with.

12.3 Justine Harris (Acting Assistant Director Housing) said that the council were taking this very seriously and understood that these were peoples' homes being discussed.

12.4 Cllr Anne Meadows said that the regulator expects this plan to be shared with tenants and asked how much this would cost. She warned that if one or two flats in a block did not have smoke detectors or sprinklers then that would endanger the rest of the block. She asked a question about why there was 100% compliance on carbon monoxide alarms but not smoke alarms. She said that she had previously asked at Housing and New Homes Committee about electrical safety testing but had been told it was not needed, and now it is needed. Cllr Meadows spoke of a sheltered accommodation block in her ward that had contaminated water and why weren't the council testing more for legionnaires. She said that the council have known since Covid that there was a backlog of repairs and highlighted the case of an 82-year-old in her ward who had been waiting more than five years for repairs. She asked how many in the backlog were repeat visits. Cllr Meadows ask questions around EPC certificates, saying that the council should have them for all properties and that they should be a minimum rating of D, but many were E or even F and deemed not suitable for habitable living. Cllr Meadows said that if private landlords were housing people like the council is, they would be taken to court. Cllr Meadows asked questions on the budgets mentioned on page 15 of the report and said that she could not marry up the figures being spent on the issue with the funding agreed at the budget in February and believed that there were discrepancies. She asked where the money was coming from and what would be stopped to pay for it. Cllr Meadows suggested that the council had been too busy attacking private landlords and taking them to court when the council are the biggest landlord in the city. She asked why the council wasn't taking itself to court over the issue. The Chair replied that the council would not be taking itself to court but that the regulator has powers over the council as a social landlord.so. Martin Reid replied that the cost was within the budget, the full costs in the cabinet report and that no capital or planned works would be set back by it. He said that post-Grenfell Tower Tragedy the council knew that Housing Revenue Account budget planning would need to reflect our plans to pay for these works. Regarding smoke detectors he said that the council had to show validated figures, which were at 84% of all homes, but that there could be more that the council are unaware of. He said that there had been publicity that had asked tenants to let the council know if they did not have smoke detectors and that they were fitting both battery-operated ones as well as hard wired ones. He said that the council is making sure that they meet compliance on fire safety and that sprinklers were not an obligation, but the council is fitting them in new builds and some other homes. Martin Reid went on to say that with leaseholders the council have fitted new fire doors with no additional charge in order to comply with post Grenfell Tower tragedy standards, and that they look at other charges on a case-by-case basis, only charging

where they have to. Regarding electrical safety he said that the council are repeating electrical testing in communal areas and homes, reiterating that the council wants to get to a five-year testing cycle. He said that the council had set out how the communal electrical testing programme prioritised community supplies to high rise blocks and blocks converted for residential use with a target date for completion by December 2024 and that it was not just a case of getting to compliance but staying there. Regarding water testing he said that additional sample testing found some issues in some seniors housing and that the council are dealing with them. He said that no cases of legionella had been reported. The issues were in some communal areas and not in people's homes. Martin Reid said that the more testing the council does the more issues it will find and have to deal with. Martin Reid gave statistics that over 95% of emergency repairs had been completed within target, in quarter 1 of 2024 97%. He said that they were bringing in additional resources to deal with the routine repairs backlog which had reduced by over 1,000. Regarding energy efficiency he said that the council were investing in solar panels, doors, and windows to make sure that people live in good quality energy efficient homes. Cllr Meadows said that she agreed with most of what Martin Reid had said but that she still could not marry up the figures in the report with the budget. The Chair suggested that Cllr Jacob Taylor, the cabinet member for finance and city regeneration could possibly provide Cllr Meadows with a written response on that point.

12.5 Cllr Pickett asked how the comments from the committee would be going to cabinet, if this would be a report or if Cllr Williams would be taking them back. The Chair answered that the minutes of the meeting would be added to the agenda for the upcoming Cabinet meeting, and that the committee would also be regularly updated.

12.6 Cllr Hewitt asked Cllr Williams if the lack of investment that she mentioned was from central government and if she could put a figure on it. He also asked if the regulator could carry out mock inspections such as CQC and OFSTED to find areas needed improvement before a full inspection. Cllr Williams said that the figure for a lack of investment probably could not be quantified but that central government had starved councils of funding for years and years and that with an aging housing stock this has caused a serious problem. She said that Brighton and Hove was not the only council to be in this situation, other council's, including Bristol were in a similar place. She said that if the council had had more funding in the past then they could have made improvements but also reiterated that these are new standards post-Grenfell. She said that although £15m was being invested it would probably take more as they don't just need to reach compliance but to stay there. Martin Reid said that these are new regulations post-Grenfell Tower tragedy and that the council had been engaging with the regulator since October 2023. He said that this report was not based on inspections but that, under the new regulations covering large social landlords with over 1,000 homes, there would be an inspection once every four years. He said that officers would plan for mock inspections and peer reviews. Martin Reid also said that they would learn lessons from those inspected before Brighton and Hove

12.7 Cllr Cattell asked what is in place to stop the backlog rebuilding, if she could wave a magic wand and make the current backlog disappear overnight. She asked if the council had the right IT systems to help make repairs run more smoothly and efficiently. She also asked if it would be possible to have a report on regeneration works. The Chair said that she would be happy to have a report on regeneration. Cllr Williams said that regeneration was a good point, and that the council was hiring a new Director for regeneration starting soon. She said that the council would need to do a lot of regeneration work because of the age of the stock, but that they would need to find out what needs regeneration, what tenants want, and where the money

would come from. Martin Reid said that the council wants to clear the routine repairs backlog and is currently doing 2,500 to 3,000 repairs a month. He said the council plans more planned preventative repair work as this would stop the backlog building up. He gave the example of more planned maintenance being done on windows and communal plumbing. Regarding IT he said that the council have made good progress but had a number of different ICT systems inherited from Mears and the council. He said they would be getting a better system soon to improve data so that all information is held in one place, and that this was something the regulator said was required. Cllr Cattell asked if staff were part of the culture change and happy doing this. Cllr Williams said that Cllr Robinson was in charge of contract management and procurement and that the council needed to make sure that the customer was happy and did not keep having to come back for repairs. Martin Reid said that the council were not just relying on contractors but had a significant in house service and an apprenticeship scheme to train up our own staff. Cllr Cattell said that growing our own staff and training them up would help going forward.

12.8 Cllr Sykes asked how the council got into this situation? He said that the council didn't want to end up doing a patch response and then getting back into the same situation. He said that he felt record keeping and data collection had been an issue, as well as Covid and the lack of access to properties. He said that it was a very useful report but light on the learning and how the council had got to this point. Martin Reid said that that the council would need to continue improving. He said that the council have additional resources and have hired a programme manager to support with analysis of what we need to do to ensure that the council does not end up in the same situation again. He said that learning was happening going forward. He said that insourcing of housing repairs & maintenance services has seen high customer satisfaction rates. He said that they wanted to do more preventative work instead of reactive work. Cllr Williams agreed that it was a good point and said that going forward regeneration projects would help as because of the age of the housing stock once one issue was resolved often another would start. She said that most important were the residents who would be affected and that she hoped the new government would be generous and help.

12.9 Cllr Czolak said that up-to-date data on homes is brilliant news and would be valuable to solve these issues. He wanted to be kept up to date on this. He said that on page 17 9.7 says that the regulator expects the council to develop a plan and share this with tenants. He asked if we had an expected delivery for this or a goal to inform people. Cllr Williams said that they had carried out over 460 one-to-ones with tenants in Large Panel System buildings where issues had been found, to make sure that they know as meetings and letters don't always work. She said that the council needs to take tenants with them and keep them informed. Martin Reid said that engagement was such a big issue going forward and that they would be increasing tenant visits. He said that an action plan had gone to the Housing and New Homes Committee in September last year but that they would reflect on it and improve it. He said that there were other things coming up including Awaab's Law around damp and mould. Justine Harris said that point 7 on page 14 onwards in the report talks about engagement. She said that as well as in writing in quarterly Homing In magazine that is posted out to tenants, at meetings, at drop in, they would look at different engagement methods to improve engagement levels.

12.10 The Chair asked a question on behalf of the community and voluntary sector reps who could not make it to the meeting. They asked if the council were the right people to rebuild trust with tenants. Martin Reid said that as the landlord they had to rebuild trust with tenants, and that they would be reaching out to more people in different ways and in different settings. He

said that they wanted to make engagement more effective, including to reflect the diversity of the communities the council provides services to.

12.11 Cllr Winder asked if the preventative programme was linked with the repairs programme and also if those carrying out repairs were looking at the conditions people were living in to find any other issues requiring repairs or that needing raising with others. Martin Reid said that staff are looking at the backlog of repairs to see what preventative work could be done. He said that there were 16,000 calls to the repairs desk in quarter 1 of this year. Justine Harris said that housing officers and repair operatives are now working much more closely to raise issues found such as struggling to cope or hoarding and that this was a much more efficient way of working. She said that everywhere there is reporting of more isolation and more issues because of the cost of living. Martin Reid added that the council are encouraging staff to report things that they are concerned about when visiting properties.

12.12 Mary Davies (Chair Older Peoples' Council) asked a question around the assessment of risk and equalities implications and health and wellbeing, including fuel poverty and chronic health conditions and if the council was integrating the risk analysis of properties with the vulnerability of tenants such as those in seniors housing. Martin Reid said that the council risk assesses both and that there was a priority for fire and water assessments in older peoples housing. He said that they carry out risk assessments on both the property and the vulnerability of the tenant and match them to make sure that nothing is missed. Cllr Williams said a good example is recent visits carried out to help know who is a vulnerable resident who would need evacuating.

12.13 Cllr Shanks asked about the role of ward members as the report said that they would be essential. She said councillors get lots of emails on housing and she didn't think that they get answers quick enough, and often answers are defensive. She said that tenants don't feel looked after or that that they are being listened to. She said that she wanted to see a much more collaborative approach with empowered tenants. Cllr Shanks went on to say that places like Theobald house in her ward used to have a caretaker who knew the residents, now they don't. She said that it was worth thinking more radically about the issue, as CVS had said, is the council the best to deal with the engagement. Cllr Shanks said that she would like the report and the response sent to all members, not just the committees, as all members deal with residents with housing issues, possibly in the form of a council briefing. Martin Reid said that he was open to more ways of engagement, working with the council's community engagement team, who are not part of the housing department but corporate. He said he was sorry if residents don't feel that they get responses and would look into this. He said he wanted to make sure that people feel heard. He went on to say that feedback to the Housing service is that tenants want to get more involved as they live in these homes and can help and that we will encourage that.

12.14 Cllr Fishleigh asked about the two contractors who were employed to tackle the backlog, asking for their names, how many staff were employed, and if they were on fixed term contracts or rolling contracts. Martin Reid said that 6,000 jobs had been given to two contractors, United Living and Axis Europe to help address the backlog of routine repairs.. He said that they were doing lower risk level jobs while the in house team were doing urgent and more recently arising routine repairs.

12.15 The Chair spoke about statistics that she had learnt as Chair of the East Sussex Fire Authority, that East Sussex (including Brighton and Hove) was 6th in the country in term of the

number of high rises. She said that when including medium rise Brighton and Hove is second only to London. She said the Fire Authority was concerned that they were not adequately funded to fulfil additional post-Grenfell regulatory burdens even under the current funding method and were already lobbying for increased funding ahead of the new government's spending review

12.16 The chair put the following recommendations to the committee:

- 2.1 That Place Overview & Scrutiny Committee note the contents of the Cabinet report on the Social Housing Regulator Judgement (Appendix 1).
- 2.2 That Place Overview & Scrutiny Committee consider and comment upon the proposed Overview & Scrutiny oversight recommendations as set out in section 6 of the Cabinet report and outlined below. Comments or recommendations on these arrangements to be shared with Cabinet members ahead of the Cabinet meeting on 26 September.

These were agreed unanimously, and the chair closed the meeting at 16:22.

